IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Crl.MC.No. 3949 of 2006()

CRIME NO.310 OF 2006 OF VADAKEKARA POLICE STATION

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PETITIONER:

M.E.BABU, S/O.IBRAHIM,
KANJIRAMPARAMBIL, MANNAM,
N.PARAVUR, ERNAKULAM DISTRICT.

BY ADV. SRI.M.K.FAISAL

RESPONDENTS:

STATE OF KERALA,
REP. BY S.I. OF POLICE,
N.PARAVUR, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.K.A.AKBAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.NO.3949 OF 2006

Dated this the 1st day of December, 2006.

ORDER

The petitioner is one of the sureties who had executed a bond to secure the release of a vehicle by the claimant in an application for release of the vehicle. The bond was for Rs.5 lakhs. The petitioner allegedly produced the title deed before the learned Magistrate. The learned Magistrate perused the same and directed that it be kept in the file. Later, the petitioner applied for release of the said title deed. The learned Magistrate felt that there was no sufficient reason to direct release of the original title deed. Obviously the learned Magistrate appears to have felt that as security for the bond and to prove the solvency of the petitioner, the said document need not be returned to the petitioner. I find absolutely nothing wrong in the course adopted by the learned Magistrate. The petitioner has no case that he requires the document for any specific purpose. If such purpose were specified and an application made, the learned Magistrate is, of course, bound to render a reasoned decision. The learned counsel for the petitioner then submits that the petitioner is afraid that his valuable title deed may be lost from court. The

petitioner can certainly apply to the learned Magistrate to keep the document in safe custody.

2. With the above observations, this Crl.M.C is, dismissed.

R.BASANT
JUDGE

rtr/